

REMARKS

The application is believed to be in condition for allowance.

Claims 11-37 are pending. Claims 11, 19, 26, and 34 are independent. Claims 35-37 are newly added.

Claims 11-15, 18-23, and 34 stand rejected under §102(e) as anticipated by KAKITANI et al. 5,978,732.

Claims 16-17, 24-25, and 26-33 stand rejected under §103 as obvious over KAKITANI et al.

Applicants have carefully reviewed this patent and believe that it does not teach or suggest the recited invention. Therefore, reconsideration and allowance of all the pending claims are respectfully requested.

In the Advisory Action dated March 9, 2004, the Examiner states that KAKITANI et al. disclose requesting the user to input the next reply based on the corresponding candidate until the corresponding candidate becomes the target information, for example, stating on column 4, lines 9 *et seq.*, in determining of the target information, the path control means has to dynamically or continuously request input from users and searches a result of path search for selection of the recommended path UNTIL an own vehicle approaches a point at a predetermined distance from the destination, and sequentially reads the recommended path that leads to the destination representative point.

This understanding is incorrect.

Notice that the user is driving a vehicle when the recommended path is displayed as a result of path search. Therefore, the user does not input any request to a device. The user just keeps driving along the recommended path or changes direction to the recommended path.

On the other hand, in the present invention, output means outputs a message which requests a user to input a reply (see in bold below), and input means inputs the reply of the user (see claim recitation). Further, search means searches candidates as to a plurality of hierarchies in the hierarchical structure to determine a corresponding candidate to the reply (again, see claim recitation). In addition, the next message which requests the user to input the next reply (again, see recitation) is further output from the output means based on the corresponding candidate until the corresponding candidate becomes the target information.

Therefore, KAKITANI et al. is totally different from the present invention and fails to teach that recited. KAKITANI et al. do not teach or suggest the output means, the input means, and the search means of the present invention.

The claim 11 recitations discussed above are:

output means for outputting a message which **requests a user to input a reply;**

input means for a user to input the reply [requested by the output means]; and

searching means for searching candidates as to a plurality of hierarchies in the hierarchical structure to determine a corresponding candidate to [user's] the reply,

wherein the next message which requests the user to input the next reply is further output from the output means based on the corresponding candidate until the corresponding candidate becomes the target information.

These indicated recitations are not taught by the reference.

Further, the recitations of new claims 35-37 are also not taught.

In the passages of the Official Action spanning pages 3-4, KAKITANI et al. is said to anticipate the searching means at column 2, lines 56 et seq. and the wherein clause at column 3, lines 7-53; column 7, lines 47-54; and column 29, lines 42 et seq.

This is incorrect. Column 2, lines 51-60 recite as follows:

According to another preferred embodiment of the present invention, there is provided an on-vehicle path guide apparatus in which path search hierarchical index data including hierarchical path information to each area is stored in path search hierarchical index data storage means, and path search hierarchical index data searching means searches for a recommended path from a main road closest to a current position of an own vehicle to a main road closest to a destination at high speed by using the

path search hierarchical index data.

At column 2, lines 56-60, KAKITANI et al. disclose path search hierarchical index data searching means. However, this searching means is not used for the man-machine interface to search candidates as to a plurality of hierarchies in the hierarchical structure to determine a corresponding candidate to a user's reply. The path search hierarchical index data searching means does not search candidates to determine a corresponding candidate **to a user's rely**. The path search hierarchical index data searching means merely searches a conclusive recommended path as a search result.

Further, the recommended path searched by the path search hierarchical index data searching means **is not used for requesting the user to input the next reply**.

At column 3, lines 7-53, KAKITANI et al. merely disclose that the indication of a recommended path as an ultimate search result. This recommended path is not a next message which requests the user to input the next reply. This passage does not meet the recitation of "the next message which requests the user to input the next reply is further output from the output means based on the corresponding candidate until the corresponding candidate becomes the target information." Column 3, lines 7-53:

..., there is provided an on-vehicle path guide apparatus in which path search control means controls such that path search index data searching means searches for a recommended path by using path search index data and path search network data depending upon a direction in which an

own vehicle travels from nodes at both ends of a link including a current position of the own vehicle, selects a recommended path having a lower cost value from among obtained recommended paths from the nodes at the both ends so as to avoid a U-turn as far as possible, and indicates the path to a passenger through indicating means.

..., there is provided an on-vehicle path guide apparatus in which data of a recommended path which has been obtained by a search is stored in recommended path storage means, path deviation detecting means detects deviation of a current position from the recommended path, and path search control means controls such that path search index data searching means searches for a path from a point where an own vehicle deviates from the recommended path to a destination or the original recommended path by using the data of the recommended path and path search index data. Even when the own vehicle deviates from the recommended path, the path to the destination or the original recommended path is provided for the passenger as far as possible.

..., there is provided an on-vehicle path guide apparatus in which data of a recommended path is stored in recommended path storage means, path search control means sets a point on the recommended path within a predetermined range from a current position of an own vehicle as a destination, and alternative path searching means makes a path search by setting a cost of the recommended path higher and efficiently searches for an alternative path.

..., there is provided an on-vehicle path guide apparatus in which data of a recommended path is stored in recommended path storage means, and by using traffic information received by traffic information receiving means, dynamic path searching means sets a point on the recommended path within a predetermined range from a current position of an own vehicle as a destination to calculate a recommended path cost in which the dynamic traffic information is reflected and search for the recommended path.

Column 7, lines 47-54:

Further, it is to be noted that a structure of the destination setting means 2 and a destination setting system should not be limited as long as information of the destination set by the passenger can be transmitted to the path search control means 3. For example, the present

invention may employ a controller used by the passenger to set the destination like a control portion (setting means) 22 shown in FIG. 2.

This column 7 passage merely discloses a destination setting means. The disclosed destination setting means **does not request the user to input the next reply, this passage does not disclose any request to the user** that is based on the corresponding candidate until the corresponding candidate becomes the target information. The recitation requires a repeated next message capability which is not disclosed. Rather, KAKITANI et al. teach that the user makes a single input; that is, the user inputs a destination only one time (see column 9, lines 18 et seq.; column 10, lines 62 et seq.; column 12, lines 38 et seq.; column 14, lines 22 et seq.; column 16, lines 58 et seq.; and column 18, lines 49 et seq.).

Column 29, lines 42-54:

Here, when roads corresponding to cd and de can not be found in the higher hierarchy road network, a search is made to the intersection c in the higher hierarchy road network. Thereafter, the operation temporarily moves down to a lower hierarchy network to make a search up to the intersection e, and moves up to the higher hierarchy road network once again to make a search to the intersection f. When the operation moves between levels in the network, network data and index data should frequently be read, resulting in an increased search time. Hence, before the higher-hierarchy level road network is created, it is necessary to consider such that the road network can include the optimal path shown by the index data in the search for the long distance.

This column 29 passage only discloses how to search the recommended path as an ultimate search result. This recommended

path is not the next message which requests the user to input the next reply.

In summary, the KAKITANI et al. hierarchical structured database is merely used for searching the recommended path as an ultimate search result, but ***not used for requesting the user to input the next reply, nor to request the user to repeatedly input the next reply*** until the corresponding candidate becomes the target information.

In view of the above, applicants believe that it is clear that both of these recitations are novel over this reference. Claim 34 is said by the Official Action to have the same scope as claims 1 and 19. Therefore, claim 34 should also be allowable. Likewise, claim 26 includes like recitations concerning the searching means and next message requirement. Therefore, claim 26 should also be allowable.

As noted above, the reference does not teach all of the features of the invention as recited in the independent claims. Thus, the dependent claims are allowable at least for depending from an allowable independent claim, regardless as to whether the reference teaches features recited in the dependent claims.

In view of the above, applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Should the Examiner have any questions or require clarification, the Examiner is asked to contact the undersigned

attorney so that this application may continue to be expeditiously advanced.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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